

United States District Court**for the****Western District Of Tennessee****Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Ashley Balentine

Case Number: 2:07mj00099-001

Name of Sentencing Judicial Officer: The Honorable E. S. Swearingen*

Reassigned to: The Honorable Diane K. Vescovo

Date of Original Sentence: 10/11/2006

Original Offenses: Simple Assault and Abandonment of Animals

Original Sentence: Probation- 12 months

Type of Supervision: Probation

Asst. U.S. Attorney: Geoffrey Giles Hengerer

Date Supervision Commenced: 10/11/2006

Defense Attorney: Pro se

Date Supervision Expires: 10/10/2007

*Jurisdiction was transferred to the Western District of Tennessee (Memphis) on 09/14/2007.

PETITIONING THE COURT☐ To issue a warrant.☒ To issue a summons.

The probation officer believes that the offender has violated the following conditions of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
(1)	Failure to make payments towards her monetary obligations- Since being under supervision, Ms. Balentine has failed to submit any payments toward her court-imposed fine (\$500) and special assessment (\$20), despite repeated instructions by the probation officer to submit payments. Ms. Balentine reported earned income between December 2006 and May 2007.
(2)	Failure to report to the probation officer and submit a truthful and complete written report within the first five days of each month - Ms. Balentine failed to report for scheduled office visits on July 12, 2007, and July 5, 2007. She failed to submit her monthly supervision report forms for July 2007 and August 2007.
(3)	Leaving the judicial district without permission - Ms. Balentine traveled outside of the Western District of Tennessee without permission on or about November 16, 2006.
(4)	Opening new line of credit without the approval of the probation officer- Ms. Balentine opened a new line of credit with National Car Credit on April 1, 2007, as she purchased an automobile for \$7,861. She did not request, nor was she given permission to open this line of credit.

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Re: BALENTINE, Ashley

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U.S. Probation Officer Recommendation:

☐ The term of supervision should be

☒ revoked.

☐ extended for _____ years, for a total term of _____ years.

☐ The conditions of supervision should be modified as follows:

I declare under penalty of perjury that the foregoing is true and correct.

Executed on September 27, 2007

s/Wright E. White

Wright E. White
U.S. Probation Officer

Approved:

s/Alice Conley

09/25/2007

Supervisory U.S. Probation Officer

Date

THE COURT ORDERS

☐ No Action

☐ The Issuance of a Warrant

☒ The Issuance of a Summons

☐ Other

s/Diane K. Vescovo

Signature of Judicial Officer

Date: 9/27/2007

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Re: BALENTINE, Ashley**September 24, 2007****Page 3****VIOLATION WORKSHEET**

1. Defendant Ashley Shonique Balentine
2. Docket Number (Year-Sequence-Defendant No.) 2:07mj00099-001
3. District/Office Western District of Tennessee (Memphis)
4. Original Sentence Date 10/11/2006

(If different than above):

5. Original District/Office Eastern District of North Carolina (Wilmington)
6. Original Docket Number (Year-Sequence-Defendant No.) 7:06-M-196-1
7. List each violation and determine the applicable grade {see §7B1.1}:

<u>Violation{s}</u>	<u>Grade</u>
Failure to make payments toward monetary obligations	C
Failure to report	C
Leaving the judicial district without permission	C
Opening new lines of credit without permission	C
8. Most Serious Grade of Violation (<u>see</u> §7B1.1(b))	C
9. Criminal History Category (<u>see</u> §7B1.4(a))74	I

10. Range of imprisonment (see §7B1.4(a))

3 to 6 months*

*Being originally convicted of a Class B misdemeanor, the statutory maximum term of imprisonment is 6 months; 18 U.S.C. §3565(a)(2).

11. Sentencing Options for Grade B and C violations Only (Check the appropriate box):

- ☒ (a) If the minimum term of imprisonment determined under §7B1.4(Term of Imprisonment) is at least one month but not more than six months, §7B1.3(c) (1) provides sentencing options to imprisonment.
- ☐ (b) If the minimum term of imprisonment determined under §7B1.4(Term of Imprisonment) is more than six months but not more than ten months, §7B1.3(c) (2) provides sentencing options to imprisonment.
- ☐ (c) If the minimum term of imprisonment determined under §7B1.4(Term of Imprisonment) is more than ten months, no sentencing options to imprisonment are available.

**Mail documents to: United States sentencing Commission, 1331 Pennsylvania Avenue, N.W.
Suite 1400, Washington, D.C., 20004, Attention: Monitoring Unit**

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Re: BALENTINE, Ashley**September 24, 2007****Page 4****Defendant** Ashley Shonique Balentine **Docket** 2:07mj00099-001**12. Unsatisfied Conditions of Original Sentence**

List any restitution, fine, community confinement, home detention, or intermittent confinement previously imposed in connection with the sentence for which revocation is ordered that remains unpaid or unserved at the time of revocation {see §7B1.3(d)}:

Restitution (\$): None

Community Confinement: None

Fine (\$): 500

Home Detention: None

Other: \$20 Special Assessment

Intermittent Confinement: None

13. Supervised Release

If probation is to be revoked, determine the length, if any, of the term of supervised release according to the provisions of §§5D1.1-1.3{see §7B1.3(g)(1)}.

Term: _____ to 0 years

If supervised release is revoked and the term of imprisonment imposed is less than the maximum term of imprisonment impossible upon revocation, the defendant may, to the extent permitted by law, be ordered to recommence supervised release upon release from imprisonment {see 18 U.S.C. §3583(e) and §7B1.3(g)(2)}.

Period of supervised release to be served following release from imprisonment: _____

14. Departure

List aggravating and mitigating factors that may warrant a sentence outside the applicable range of imprisonment:

15. Official Detention Adjustment {see §7B1.3(e)}: months _____ days _____

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